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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

Macroeconomic policy questions

Sustainable development and international economic cooperation

Environment and sustainable development

Globalization and interdependence

Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Right of peoples to self-determination

Human rights questions

Measures to eliminate international terrorism

Letter dated 13 December 1999 from the Permanent Representatives of Belarus and the Russian Federation to the United Nations addressed to the Secretary-General

We hereby have the honour to transmit the text of the Treaty on the Establishment of a Union State signed by the President of Belarus, Mr. A. G. Lukashenka, and the President of the Russian Federation, Mr. B. N. Yeltsin, in Moscow on 8 December 1999 (see annex).

We should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 20, 39, 74, 97, 99, 100, 104, 106, 115, 116 and 160.

(*Signed*) Alyaksandr **Sychov**
Permanent Representative of
Belarus to the United Nations

(*Signed*) Sergey **Lavrov**
Permanent Representative of the Russian
Federation to the United Nations

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Annex

Treaty on the establishment of a Union State

The Russian Federation and the Republic of Belarus,

Guided by the will of the peoples of Russia and Byelorussia to unify and relying on the commonality of their historical fate, and concerned for the vital interests of their citizens,

Convinced that the formation of the Union State will permit a united effort in the interests of the social and economic progress of both States,

Moved by a desire to continue the development of the integration processes set forth in the Treaty on the Formation of an Association between the Russian Federation and the Republic of Belarus of 2 April 1996, the Treaty on the Union of Belarus and Russia of 2 April 1997 and the Charter of the Union of Belarus and Russia of 23 May 1997, and also in implementation of the provisions of the Declaration on the Further Unification of Russia and Belarus of 25 December 1998,

Affirming their adherence to the purposes and principles of the Charter of the United Nations and their desire to live in peace and good-neighbourliness with other States,

Acting in accordance with the universally acknowledged principles and norms of international law,

Have agreed as follows:

Section I

General provisions

Chapter I

Purposes and principles of the Union State

Article 1

The Russian Federation and the Republic of Belarus (hereinafter referred to as the participating States) shall establish a Union State which will mark a new stage in the process of unification of the peoples of the two countries into a democratic State ruled by law.

Article 2

1. The purposes of the Union State shall be:

   - To ensure the peaceful and democratic development of the fraternal peoples of the participating States, to strengthen friendship and to raise well-being and the standard of living;
   - To establish a single economic space in order to ensure socio-economic development on the basis of the united material and intellectual potential of the participating States and the use of market mechanisms for the functioning of the economy;

- To respect at all times basic human and civil rights and freedoms in accordance with the universally acknowledged principles and norms of international law;
- To pursue a coordinated foreign and defence policy;
- To establish a single legal system appropriate to a democratic State;
- To pursue a coordinated social policy aimed at creating conditions that ensure life in dignity and the free development of the person;
- To ensure the security of the Union State and to combat crime;
- To strengthen peace, security and mutually advantageous cooperation in Europe and throughout the world, and to develop the Commonwealth of Independent States.

2. The attainment of the purposes of the Union State shall take place in stages, taking into account the priority attached to accomplishing economic and social tasks. The specific measures and the timetables for their implementation shall be determined by decisions of the organs of the Union State or by agreements between the participating States.

3. As the Union State becomes established, the question of the adoption of its Constitution shall be considered.

Article 3

1. The Union State shall be based on the principles of sovereign equality of the participating States, voluntariness and conscientious fulfilment by them of their mutual obligations.

2. The Union State shall be based on a demarcation of objects of jurisdiction and powers between the Union State and the participating States.

Article 4

1. For the attainment of the purposes of the Union State, a supreme State Council, a Parliament, a Council of Ministers, a Court and a Board of Audit of the Union State shall be established.

2. State power in the participating States shall be exercised by the organs of State established by them in accordance with their constitution.

Article 5

The Union State shall be a secular, democratic, social State ruled by law in which political and ideological diversity are recognized.

Article 6

1. Each participating State shall retain, taking into account the powers voluntarily transferred to the Union State, its independence, territorial integrity, State structure, constitution, State flag, emblem and other attributes of statehood.

2. The participating States shall retain their membership in the United Nations and other international organizations. The possibility of single membership in international organizations and other international associations shall be determined by mutual agreement between the participating States.

Article 7

1. The territory of the Union States shall consist of the State territories of the participating States.

2. The participating States shall ensure the integrity and inviolability of the territory of the Union State.

3. The external border of the Union State shall comprise the borders of the participating States with other States or the effective spatial limits of the State sovereignty of the participating States.

4. Pending the adoption of a normative legal act of the Union State concerning the State border, protection of the external border of the Union State shall be conducted in the manner established by the participating States at the time of signature of the present Treaty.

Article 8

1. In the Union State, all forms of ownership recognized in the territory of the participating States shall be equally recognized and protected, and the equal rights of citizens to acquire, own, use and manage property shall be guaranteed.

2. In the Union State, the necessary legislative and other measures shall be taken to ensure equal rights, obligations and guarantees for economic entities, whatever their organizational and legal structure, and also for citizens possessing the status of entrepreneurs, in accordance with the legislation of the participating State.

3. The legal status and operating regime of foreign bodies corporate in the territory of the participating States prior to the unification of their legislation in this field shall be in accordance with the legislation of the participating States and their agreements with third countries.

Article 9

The ownership, use and management of real and personal property of the Union State shall be conducted on the basis of the normative legislative acts of the Union State.

Article 10

1. The Union State shall have its own emblem, flag, anthem and other attributes of statehood.

2. The state symbols of the Union State shall be established by the Parliament of the Union State and shall be subject to approval by the Supreme State Council.

Article 11

The official languages of the Union State shall be the State languages of the participating States, without prejudice to the constitutional status of their State languages. The Russian language shall be used as the working language of the organs of the Union State.

Article 12

The location of the organs of the Union State shall be determined by the Supreme State Council.

Article 13

1. The Union State shall have a single monetary unit (currency). Money shall be issued exclusively by a single emission centre. The introduction and issue in the Union State of a currency other than the single monetary unit shall not be permitted.

2. Prior to the introduction of the single monetary unit and the establishment of a single emission centre, the national monetary units of the participating States shall continue to circulate in their territory. The transition to the single monetary unit (currency) shall take place in accordance with article 22 of the present Treaty.

Chapter II

Citizenship of the Union State

Article 14

1. Citizens of the participating States shall concurrently be citizens of the Union State.

2. In the Union State, human and civil rights and freedoms shall be guaranteed in accordance with the universally acknowledged principles and norms of international law.

3. Issues of acquisition and loss of the citizenship of the participating States shall be regulated by their national legislation.

4. No one may become a citizen of the Union State without acquiring the citizenship of a participating State.

5. Citizens of the Union State shall enjoy equal rights and bear equal responsibilities in the territory of the other participating State unless otherwise provided by legislative acts of the participating States or by agreements between them.

6. Pending the adoption of a normative legislative act of the Union on citizenship, the legal status of citizens of the Union State shall be regulated by the national legislative acts of the participating States and agreements between them in this area and by the present Treaty.

7. Citizens of the Union State shall have the right to elect and be elected to the Parliament of the Union State, and also to be appointed to posts in the organs of the Union State.

8. Citizens of the Union State shall have the right to establish public associations of the Union.

9. Pending the establishment of a single form for documents certifying the identity of a citizen of the Union State, documents issued by the State organs and organs of local self-government of the participating States, as well as documents recognized in accordance with the legislation of the participating States and with international agreements, shall enjoy equal recognition in its territory.

Article 15

Each citizen of a participating State shall have the right to protection, in the territory of a third State where there is no representation of the participating State of which he is a citizen, by the diplomatic missions or consular institutions of the other participating State on the same terms as citizens of that participating State.

Article 16

1. For purposes of promoting the exercise and protection of the rights and freedoms of citizens of the Union State, a Commission on Human Rights shall be established.

2. The powers, conditions for the establishment and procedure for the activity of the Commission shall be determined by the Statute of the Commission on Human Rights of the Union State approved by the Supreme State Council.

Section II

Objects of jurisdiction of the Union State

Article 17

1. The following shall be within the exclusive jurisdiction of the Union State:

- The establishment of a single economic space and of the legal basis for a common market which shall guarantee the free movement of goods, services, capital and labour within the territories of the participating States, and equal conditions and guarantees for the activity of economic entities;
- A common monetary and credit, currency, tax and price policy;
- Unified rules for competition and protection of consumers' rights;
- Unified transport and energy systems;
- Drafting and placement of joint defence orders, guaranteeing on their basis of deliveries and sale of arms and military technology, unified system of technical support for the armed forces of the participating States;
- A common trade and customs tariff policy with respect to third countries and to international organizations and associations;
- A single body of legislation on foreign investments;
- Drafting, approval and execution of the budget of the Union State;
- Management of the property of the Union State;
- International activity and international agreements of the Union State on issues relating to the exclusive competence of the Union State;
- Operation of a regional grouping of troops;
- The border policy of the Union State;
- Standards, calibrations, hydrometeorological service, metric system and computation of time, geodesy and cartography;
- Statistical and accounting reports, unified data banks;
- Establishment of the system of organs of the Union State, the procedure for their organization and activity and the formation of organs of the Union State.

Article 18

The joint jurisdiction of the Union State and the participating States shall cover:

- The admission of other States to the Union State;

- Coordination and cooperation in the foreign policy field in relation to the implementation of the present Treaty;
- Conduct of a coordinated policy of strengthening the Commonwealth of Independent States;
- Joint defence policy, coordination of activity in the area of military construction, development of the armed forces of the participating States, joint utilization of military infrastructure and the adoption of other measures to maintain the defence capability of the Union State;
- Participation in international cooperation on military and border issues, including the implementation of international agreements concluded by the participating States on issues of armed forces reduction and arms limitation;
- Cooperation in the implementation of democratic transformations, exercise and protection of the fundamental rights and freedoms of citizens of the Union State;
- Harmonization and unification of the legislation of the participating States;
- Implementation of investment policy in the interests of rational division of labour;
- Environmental protection;
- Joint action in the sphere of environmental security, prevention of natural and man-made disasters and elimination of their consequences, including the consequences of the accident at the Chernobyl nuclear power station;
- Development of science, education and culture and creation of equal conditions for the preservation and development of the distinctive ethnic, cultural and linguistic features of peoples;
- Establishment of a common scientific, technical and information space;
- A coordinated social policy including employment, migration, working conditions and safety procedures, social security and insurance;
- Guarantees of the equal rights of citizens in job placement and remuneration, medical care and the provision of other social guarantees;
- Combating terrorism, corruption, drug distribution and other types of crimes.

Article 19

Outside the scope of the exclusive jurisdiction of the Union State and the objects of the joint jurisdiction of the Union State and the participating States, the latter shall retain the full extent of State power.

Section III

Principles for the formation of the single economic space

Article 20

The participating States shall create a single economic space. The Union State shall have a unified, and subsequently a single, body of legislation governing economic activity, including civil and tax legislation.

Article 21

For purposes of creating the single economic space, the participating States shall take coordinated measures to bring the main social and macroeconomic indicators of development gradually closer together, and shall pursue a single structural policy.

Article 22

The Union State shall introduce the single monetary unit (currency) in phases, simultaneously with the establishment of the single emission centre.

The basic function of the single emission centre shall be to protect and guarantee the stability of the single monetary unit, and it shall perform this function in cooperation with the other organs of the Union State and the State organs of the participating States.

The single emission centre shall not have the right to grant loans to the organs of the Union State or to purchase securities of the Union State when they are first placed on the financial market.

The Union State shall grant and receive loans, give guarantees on loans and issue bonds and securities in accordance with a procedure to be determined by the Parliament of the Union State and approved by the Supreme State Council.

The introduction of the single monetary unit and the establishment of the single emission centre shall take place on the basis of an agreement between the participating States.

Article 23

In the Union State, a common policy shall be applied in the area of pricing, including issues of price and tariff regulation.

Article 24

In the Union State, a common securities market shall operate that provides for the free circulation of securities, and the corresponding institutions for the issuance of securities and the regulation of the stock market shall be established.

Article 25

The participating States shall complete standardization of the requirements for organizing oversight of banks and other credit institutions on the basis of the basic principles for effective banking oversight defined by the Basel Committee on Banking Supervision, and shall apply unified refinancing rates and common norms for reserve requirements on banks.

Article 26

In the Union State, a single body of legislation shall be drawn up and apply with respect to the servicing and repayment of foreign and domestic debt and the procedure for borrowing and making investments abroad. The participating States shall jointly conclude with third countries international agreements on this issue, and shall assume obligations on a coordinated basis.

Article 27

In the Union State, common principles for the levying of taxes shall apply regardless of the location of the taxpayers in its territory.

Article 28

The participating States shall conduct a common trade policy with respect to third countries and international economic organizations and economic associations, and shall apply common rates of customs import and export duties, common customs regimes and a common procedure for customs certification and control, and shall standardize their legislation on State regulation of foreign trade activity and protection of the economic interests of the participating States in the conduct of foreign trade.

Article 29

In the Union State, a single customs space shall be in effect, with respect to which the following shall apply:

A single export control procedure;

Unified non-tariff regulation measures, including the use of quantitative restrictions, licensing of the import and export of goods and the introduction of a single list of goods to which import and export prohibitions or restrictions shall apply;

A single procedure for the mutual recognition of licences, certificates and permits for the import or export of goods.

Article 30

Unified energy and transport systems and interlinked communications and telecommunications systems shall operate within the Union State.

The procedure for management of the above and other common elements of infrastructure shall be regulated on the basis of acts of the Union State.

Article 31

Unified labour legislation and legislation on social protection and pensions shall apply within the Union State.

Section IV

Budget of the Union State

Article 32

1. The budget of the Union State shall ensure financing of programmes and projects of the Union State and its functioning, including expenditure on the maintenance of its organs.

2. The budget of the Union State shall be made up of the agreed annual contributions of the participating States.

3. In the manner and in the cases established by the Supreme State Council on the proposal, approved by Parliament, of the Council of Ministers, the budget may also be derived in part from other sources.

4. Issues of the financial and economic activity of organs of the Union State and sectoral and functional management organs of the Union State shall be regulated by the Council of Ministers of the Union State in accordance with normative legislative acts of the Union State and with the legislation of the participating States.

5. The participating States shall be independently responsible for expenditures associated with the conduct of measures not provided for by the budget of the Union State.

6. The budget of the Union State may not have a deficit.

7. Execution of the budget pending the establishment of the Treasury of the Union State shall be conducted by the treasuries of the participating States in respect of the territory of their States.

Article 33

1. The budget estimates of the Union State shall be submitted to Parliament by the Council of Ministers of the Union State.

2. Following its adoption by Parliament, the budget shall be approved by the Supreme State Council.

Section V

Organs of the Union State

Chapter I

Supreme State Council

Article 34

1. The Supreme State Council shall be the supreme organ of the Union State.

2. The membership of the Supreme State Council shall comprise the heads of State, heads of Government and leaders of the Houses of Parliament of the participating States.

3. The Chairman of the Council of Ministers, the speakers of the Houses of Parliament and the President of the Court of the Union State shall participate in meetings of the Supreme State Council.

Article 35

1. The Supreme State Council shall:

Decide on the most important issues of the development of the Union State;

Establish within the limits of its competence the organs of the Union State, including sectoral and functional management organs;

Schedule elections to the House of Representatives of the Parliament of the Union State;

Approve the budget of the Union State adopted by the Parliament of the Union State and the annual reports on its execution;

Approve international agreements of the Union State ratified by Parliament;

Approve the State symbols of the Union State;

Determine the location of organs of the Union State;

Hear the annual report of the Chairman of the Council of Ministers on the implementation of decisions adopted.

2. The Supreme State Council shall perform other functions assigned to its jurisdiction by the present Treaty or referred to it for review by the participating States.

3. The Supreme State Council shall within the limits of its powers issue decrees, resolutions and directives.

Article 36

1. The Chairman of the Supreme State Council shall be one of the heads of the participating States on a rotating basis, unless otherwise agreed by the participating States.

2. The Chairman of the Supreme State Council shall:

Organize the work of the Supreme State Council, preside over its meetings and sign enactments adopted by the Supreme State Council, as well as laws of the Union State;

Address to Parliament annual messages on the situation in the Union State and the main direction of its development;

On the instructions of the Supreme State Council, conduct international negotiations and sign international agreements on behalf of the Union State, and represent the Union State in relations with foreign States and international organizations;

Organize the monitoring of progress in the application of the present Treaty and the decisions adopted by the Supreme State Council;

Within the limits of his powers, give instructions to the Council of Ministers of the Union State;

Perform other functions on the instructions of the Supreme State Council.

Article 37

1. Enactments of the Supreme State Council shall be adopted on the basis of unanimity of the participating States. An enactment shall not be adopted if one of the participating States has opposed its adoption.

2. Votes in meetings of the Supreme State Council on behalf of the participating States shall be cast by the head of State or by a person authorized by him.

Chapter II

Parliament of the Union State

Article 38

The Parliament of the Union State shall be the representative and legislative organ of the Union State.

Article 39

1. Parliament shall consist of two Houses, the House of the Union and the House of Representatives.

2. The House of the Union shall consist of 36 members of the Council of the Federation, deputies of the State Duma delegated by the houses of the Federal Assembly of the Russian Federation, and 36 members of the Council of the Republic, deputies of the House of Representatives delegated by the houses of the National Assembly of the Republic of Belarus. Members of the House of the Union shall work on a part-time basis and shall receive remuneration for their work at the place of their normal employment.

3. The House of Representatives shall consist of 75 deputies from the Russian Federation and 28 deputies from the Republic of Belarus, elected by secret ballot on the basis of universal suffrage.

4. The House of Representatives shall be elected, and the House of the Union established, for a four-year term. If the powers of the houses of the Parliaments of the participating States are terminated, members of the House of the Union shall retain their powers until the deputies of the Parliament in question are replaced.

Article 40

The Parliament of the Union State shall:

Adopt laws and framework legislation of the Union State on matters assigned by the present Treaty to the competence of the Union State;

Promote unification of the legislation of the participating States;

Hear the annual messages of the Supreme State Council on the situation in the Union State and the main directions of its development;

Hear reports and information on the activity of the Council of Ministers;

Adopt the budget and hear the annual and semi-annual reports on its execution;

Approve the audit report and hear reports and communications of the Board of Audit of the Union State;

Ratify international agreements concluded in the name of the Union State;

Conclude agreements on cooperation with the parliaments of States not forming part of the Union State and with parliamentary organizations;

Appoint, on the proposal of the Supreme State Council, judges of the Court of the Union State;

Approve, on the proposal of the Supreme State Council, the members of the Commission on Human Rights;

Appoint, on the proposal of the Council of Ministers, members of the Board of Audit of the Union State;

Establish the symbols of the Union State;

Consider proposals relating to the accession of third States to the Union State, adopt the relevant recommendations and transmit them for approval to the Supreme State Council;

Ensure cooperation between the parliaments of the participating States;

Exercise other powers provided for by the present Treaty.

Article 41

1. Deputies of the House of Representatives and members of the House of the Union shall have immunity throughout the territory of the Union State for their entire term of office.

2. Deputies of the House of Representatives shall work on a full-time professional basis, and may not be in the employ of the State or engage in other remunerative activity with the exception of teaching, scientific or other creative work.

Article 42

1. Meetings of the House of the Union and House of Representatives shall be held on a regular basis in accordance with their rules of procedure.

2. The House of the Union and the House of Representatives shall meet separately save in the cases provided for in their regulations.

3. Each of the Houses shall elect from among its members a Speaker and his Deputy, and shall establish commissions. The Speaker of a House and his Deputy shall be elected on a rotating basis. The Speaker of a House and his Deputy may not be citizens of the same participating State.

4. Each of the Houses shall adopt its own regulations and resolve issues of the rules of procedure for its activities.

Article 43

1. The Supreme State Council, the Council of Ministers of the Union State and the House of the Union, and also a group of not less than 20 deputies of the House of Representatives, shall have the right to introduce bills.

2. Bills shall be introduced to the House of Representatives.

3. Once the law has been adopted in the House of Representatives, it shall be transmitted for approval to the House of the Union.

4. A bill providing for expenditures covered out of the budget of the Union State may be introduced only with the consent of the Council of Minister of the Union State.

5. A decision of the House of Representatives shall be deemed not to have been adopted if more than one quarter of the total number of deputies voted against it.

6. Laws of the Union State shall be adopted by a majority vote of the total number of representatives of each House. If a bill is not approved by the House of the Union, the Houses may establish a conciliation commission to overcome the differences that have arisen, after which the bill shall again be considered in the Houses.

7. Not later than seven days from the date of its approval by the House of the Union, an adopted law shall be transmitted to the Supreme State Council for signature by the Chairman of the Supreme State Council and publication.

8. Not later than 30 days from the date of adoption of the law, the Chairman of the Supreme State Council shall sign it, if he and the head of a participating State who is not at the time of signature of the law Chairman of the Supreme State Council have no objections to the adoption of the law. If the Chairman of the Supreme State Council and the head of a participating State who is not at the time of signature of the law Chairman of the Supreme State Council have objections, the law shall be rejected. Rejection of a law shall be legalized by decision of the Supreme State Council and shall be communicated to the Houses of Parliament not later than seven days from the date of its rejection. The Chairman of the

Supreme State Council shall have the right to propose to the Houses of Parliament the establishment of a conciliation commission to overcome the differences that have arisen.

Chapter III

The Council of Ministers

Article 44

1. The Council of Ministers shall be the executive organ of the Union State.

2. The Council of Ministers shall include the Chairman of the Council of Ministers, the heads of Government, the State Secretary (with the status of Deputy Chairman of the Council of Ministers), the Ministers for Foreign Affairs and Ministers of the Economy and Finance of the participating States, and the heads of the main sectoral and functional management organs of the Union State.

The heads of the central banks and ministers of the participating States may be invited to attend meetings of the Council of Ministers.

3. The Chairman of the Council of Ministers shall be appointed by the Supreme State Council. The head of State of one of the participating States, on a rotating basis, may serve in this capacity.

4. The functions of the Council of Ministers, its composition and the procedure for its work shall be determined by a statute approved by the Supreme State Council.

Article 45

The State Secretary and the heads of sectoral and functional management organs of the Union State shall be appointed and dismissed by the Supreme State Council on the proposal of the Chairman of the Council of Ministers.

Article 46

1. The Council of Ministers, in accordance with its competence as determined by the present Treaty and by decisions of the Supreme State Council, shall:

Formulate the basic directions of common policy on issues of the development of the Union State and submit them to the Supreme State Council for consideration;

Submit to the Supreme State Council proposals for the establishment of sectoral and functional organs of the Union State and supervise their activity;

Submit to the Parliament of the Union State drafts of Union laws and framework legislation;

Monitor the implementation of the provisions of the present Treaty and of enactments of the Union State, and where necessary make substantiated submissions to participating States in the event that obligations deriving from them are not fulfilled;

Draw up and submit to the Parliament of the Union State the draft budget of the Union State, ensure execution of the budget and submit to Parliament annual and semi-annual reports on the execution of the budget;

Consider the audit reports and reports of the Board of Audit;

Manage the property of the Union State;

Ensure the establishment and development of the unified economic space, and the application of unified finance, tax, credit, monetary, currency, price and trade policies;

Coordinate the process of unification of the legislation of the participating States;

Facilitate the conduct of a coordinated policy of the participating States in international affairs in the spheres of defence, security, law enforcement, protection of the rights and freedoms of citizens, maintaining public order and combating crime, and also in the fields of culture, science, education, health care, social security and protection of the environment;

Exercise other powers assigned to it by the present Treaty and the Supreme State Council.

2. The Council of Ministers shall, within the limits of its competence, issue orders, directives and resolutions.

3. A decision of the Council of Ministers may be suspended or repealed by the Supreme State Council.

Article 47

The Chairman of the Council of Ministers shall:

Supervise the activity of the Council of Ministers and organize its work;

Submit to the Supreme State Council and Parliament of the Union State annual reports on the activity of the Council of Ministers;

Sign enactments of the Council of Ministers;

On the instructions of the Supreme State Council and within the limits of the powers vested in it, conduct negotiations and sign international agreements on behalf of the Union State.

Article 48

1. The Council of Ministers shall establish a Standing Committee headed by the State Secretary.

2. The Standing Committee shall be responsible for preparing meetings of the Supreme State Council and the Council of Ministers.

3. The Standing Committee shall coordinate the work of sectoral and functional organs of the Union State and their cooperation with the national organs of the participating States, monitor the execution of decisions adopted by the Supreme State Council and the Council of Ministers, regularly inform the Council of Ministers of the state of affairs in the spheres of activity of the sectoral and functional organs of the Union State and submit proposals to the Council of Ministers on the conduct of ongoing work on the development of the Union State.

Article 49

1. The Governments of the participating States shall nominate candidates for membership in the Standing Committee.

2. The Council of Ministers shall appoint the members of the Standing Committee from among the candidates presented.

3. The State Secretary and the members of the Standing Committee shall be appointed for a four-year term. The procedure for their early dismissal shall be determined by the Supreme State Council.

4. Only citizens of participating States may be members of the Standing Committee. No more than two thirds of the members of the Standing Committee may be citizens of the same State. The members of the Standing Committee shall be appointed and act in their personal capacity.

5. The Statute of the Standing Committee shall be approved by the Supreme State Council on the proposal of the Council of Ministers.

Chapter IV

The Court of the Union State

Article 50

The Court of the Union State (hereinafter referred to as the Court) shall be the organ of the Union State responsible for ensuring uniform interpretation and application of the present Treaty and of normative legislative enactments of the Union State.

Article 51

The Court shall comprise nine judges appointed by the Parliament of the Union State on the proposal of the Supreme State Council.

Article 52

1. Judges, who shall act in their personal capacity, shall be appointed from among citizens of the Union State possessing high professional and moral qualities and meeting the requirements for appointment to the highest judicial posts in the participating States.

2. Not more than five judges of the Court may be citizens of the same State.

3. Judges shall be independent.

Article 53

1. Judges shall be appointed for a six-year term. They may be reappointed for a second term.

2. One third of the membership of the Court shall be replaced every two years.

3. On initial appointment, one third of the judges shall be appointed for a two-year term and one third for a four-year term.

4. The Court shall elect from among the judges the President and his Deputy, who may not be citizens of the same participating State.

5. The Supreme State Council shall approve the Charter and Regulations of the Court.

Article 54

1. Each participating State and the organs of the Union State may submit for consideration by the Court any issues relating to the interpretation and application of the present Treaty and of normative legislative enactments of the Union State.

2. Decisions of the Court shall have binding legal force and shall be officially published.

3. Decisions of the Court shall be adopted by a two-thirds vote of the total number of judges attending the Court session in question.

Chapter V

The Board of Audit

Article 55

1. To exercise control over finances, the Union State shall establish a Board of Audit.

2. The Board of Audit shall consist of 11 members appointed for a six-year term from among the citizens of the participating States who have experience of work in audit institutions and are of unquestioned professionalism and conscientiousness.

3. The members of the Board of Audit shall be appointed by the Parliament of the Union State on the proposal of the Council of Ministers. The members of the Board of Audit shall be appointed regardless of which participating State they are citizens of. The membership of the Board of Audit may not include more than seven nationals of the same participating State.

4. The members of the Board of Audit shall elect from among themselves a Chairman and his Deputy, who shall perform their duties for a two-year period and may be re-elected. The Chairman of the Board of Audit and his Deputy may not be citizens of the same participating State.

5. The members of the Board of Audit shall act in the interests of the Union State and shall be fully independent in the performance of their duties.

Article 56

1. The Board of Audit shall monitor execution of the revenue and expenditure items of the budget of the Union State in terms of volume, structure and purpose, verify reports on the revenues and expenditures of all organs of the Union State, determine whether revenues received and expenditures incurred are legal, and also ascertain how rational the management of finances was and monitor the effectiveness of utilization of the property of the Union State.

2. Organs of the Union State and the national audit organizations or competent bodies of the participating States shall transmit to the Board of Audit, at its request, any documents and information required for the performance by the Board of the functions assigned to it.

3. The Board of Audit shall submit to the Council of Ministers and to Parliament an annual audit report on the results of the financial year. On the basis of their consideration of the report the above organs, acting independently or jointly, may submit to the Supreme State Council proposals regarding the regularization of the finances of the Union State.

4. The Board of Audit may, acting on its own initiative or at the request of any organ of the Union State, present within the limits of its competence conclusions on specific items.

5. The Board of Audit shall establish its own regulations, which shall be approved by the Council of Ministers.

Chapter VI

Officials

Article 57

1. Officials of the organs of the Union State and their bodies shall, with the exception of members of the Supreme State Council, the Council of Ministers and the House of the Union of Parliament, be civil servants of the Union State and shall be appointed from among the citizens of the participating States.

2. Officials of the organs of the Union State and their bodies:

Shall act in the performance of their duties in the common interest, and shall not seek or receive instructions from any State organ of the participating States;

May not combine work in the organs of the Union State with other paid activity, with the exception of teaching, scientific and other creative activities;

Shall not be entitled to engage in activity incompatible with their status as officials of organs of the Union State or to use their official position, in particular, in the interests of political parties, associations and other organizations.

3. The legal status of officials of the organs of the Union State and their bodies, their salary levels and social guarantees shall be established by the Supreme State Council on the proposal of the Council of Ministers.

Section VI

Enactments of the Union State

Article 58

In order to achieve the purposes and principles of the Union State, its organs shall within the limits of their competence adopt the normative legislative enactments provided for by the present Treaty, namely laws, framework legislation, decrees, orders, directives and resolutions. The organs of the Union State may also adopt recommendations and conclusions.

Article 59

1. On subjects which are within the exclusive jurisdiction of the Union State, laws, decrees, orders and resolutions shall be adopted. Decrees and orders shall be adopted by organs of the Union State on the basis of the present Treaty and the laws of the Union State.

2. With respect to subjects of joint jurisdiction of the Union State and the participating States, framework legislation, directives and resolutions shall be adopted.

3. Effect shall be given to normative legislative enactments of the Union State on subjects of joint jurisdiction of the Union State through the adoption of national normative legislative enactments of the participating States on the matters in question.

Article 60

1. Laws and decrees are intended for general application, shall be binding in all respects and, following their official publication, shall be directly applicable in the territory of each participating State.

2. In the event of a conflict between a provision of a law or decree of the Union State and the provision of a domestic law of a participating State, the provision of the law or decree of the Union State shall prevail. However, this shall not apply to a conflict between the provisions of a law or decree of the Union State and provisions contained in the constitutions or constitutional acts of the participating States.

3. Orders shall be binding in all their parts on the State or physical or juridical person to which they are addressed.

4. Directives shall be binding on each State to which they are addressed, while allowing the organs of the State in question freedom to choose the forms and methods of action.

5. A resolution is an enactment by means of which the ongoing activity of the organs of the Union State is ensured.

Section VII

Final provisions

Article 61

The provisions of the present Treaty, the implementation of which in phases may require the introduction of amendments and additions to the constitutions of the participating States, shall enter into force upon completion of the necessary internal procedures to amend the constitution of each participating State.

Article 62

1. Following the entry into force of the present Treaty, the Parliament of the Union State shall, on the proposal of the Supreme State Council, consider a draft Constitutional Act determining on the basis of the present Treaty the State structure of the Union State and its legal system.

2. Following its approval by the Parliament of the Union State, the draft Constitutional Act shall be referred by the Presidents of the participating States to the Parliaments of the participating States for consideration, and thereafter, in accordance with their legislation, shall be submitted to referendums in the participating States.

3. Following the approval of the Constitutional Act in the referendums, the participating States shall introduce the necessary additions and amendments into their constitutions.

Article 63

For purposes of the phased application the present Treaty, the Russian Federation and the Republic of Belarus shall adopt the Programme of Action of the Russian Federation and the Republic of Belarus for the implementation of the provisions of the Treaty on the Establishment of a Union State.

Article 64

The initial elections to the House of Representatives of the Parliament of the Union State shall take place not later than six months after the adoption by the Parliaments of the participating States of the relevant legislative enactments.

Article 65

1. The present Treaty shall be open for accession by other States that are subjects of international law, share the purposes and principles of the Union State and assume to the full the obligations deriving from the Treaty.

2. The participating States shall consider applications by third States and shall invite them to become parties to the present Treaty once they have met the necessary conditions for accession, which shall be established by the Supreme State Council, and once the procedures associated with increasing the number of participating States have been completed.

Article 66

1. Amendments to the present Treaty may be proposed by a participating State or by the Parliament or Court of the Union State. Amendments shall be considered by the Council of Ministers and submitted for approval to the Supreme State Council.

2. Amendments shall be made official by means of separate agreements subject to ratification by the participating States.

Article 67

1. A participating State may, in conformity with its relevant constitutional procedures, decide on the basis of a nationwide referendum to withdraw from the Union State. The head of the State wishing to withdraw from the Union State shall so notify the Supreme State Council, the Parliament of the Union State and the other participating State in writing. The present Treaty shall cease to have effect for the withdrawing State upon the expiry of 18 months from the date of holding of the referendum on the matter.

2. Withdrawal from the present Treaty shall not affect the discharge of the obligations assumed by the participating States under the Treaty whose implementation is conditional upon a specific time span.

Article 68

1. The present Treaty is not directed against third States. The participating States shall fulfil their obligations under previously concluded international agreements.

2. The participating States shall not assume international obligations that contradict the provisions of the present Treaty.

Article 69

1. The present Treaty is subject to ratification by the participating States, and shall enter into force on the date of exchange of the instruments of ratification.

2. The Treaty is concluded for an indefinite period.

Article 70

1. The Treaty on the Formation of an Association between the Russian Federation and the Republic of Belarus of 2 April 1996 and the Treaty on the Union of Belarus and Russia of 2 April 1997 shall cease to have effect upon the entry into force of the present Treaty.

2. Legal instruments previously adopted in the context of the Association and the Union shall continue to have effect insofar as they do not contradict the present Treaty.

3. Prior to the first meeting of the Supreme State Council of the Union State, its functions shall be discharged by the Supreme Council of the Union of Belarus and Russia.

4. Prior to the elections to the House of Representatives of the Parliament of the Union State, the functions of the Parliament of the Union State shall be discharged by the Parliamentary Assembly of the Union of Belarus and Russia.

5. Prior to the first meeting of the Council of Ministers of the Union State, its functions shall be discharged by the Executive Committee of the Union of Belarus and Russia.

6. Prior to the establishment of the Standing Committee, its functions shall be discharged by the staff of the Executive Committee of the Union of Belarus and Russia constituted in accordance with the Charter of the Union of Belarus and Russia.

Article 71

The present Treaty shall be registered in accordance with article 102 of the Charter of the United Nations.

Done at Moscow on 8 December 1999 in two copies, each in the Russian and Byelorussian languages, both texts being equally authentic.

For the Russian Federation
(*Signed*) B. **Yeltsin**

For the Republic of Belarus
(*Signed*) A. **Lukashenka**